

REPORT OF THE COMMITTEE ON BUDGET

Voting Members:

Ann H. Kobayashi, Chair; Stanley Chang, Vice Chair;
Carol Fukunaga, Joey Manahan, Kymberly Marcos Pine

Committee Meeting Held
February 5, 2014

Honorable Ernest Y. Martin
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Budget, which considered Bill 1 (2014) entitled:

"A BILL FOR AN ORDINANCE RELATING TO PARKING.

introduced on January 3, 2014 and which passed first reading at the January 29, 2014
Council meeting, reports as follows:

The purpose of the Bill is to authorize certain parking stalls for mobile food
vendors.

The Director of the Department of Transportation (DTS) testified in support of
Bill 1 (2014) with concerns. The Director stated that although DTS is responsible for
on-street parking and issuance of street usage permits, the Department respectfully
defers to the Department of Enterprise Services and its current oversight of mobile food
units through concession contracts.

The Concessions Contracts Specialist of the Department of Enterprise Services
also testified with the same aforementioned concerns.

Your Committee received no testimony from members of the public.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON FEB 19 2014

COMMITTEE REPORT NO. 31

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Your Committee received two testimonies providing comments from the following institutions, organizations, and governmental agencies:

1. Gerald H. Saito, Director, Department of Enterprise Services
2. Michael D. Formby, Director, Department of Transportation Services

Your Committee considered a proposed handcarried CD1 version that adds the following to the beginning of Sec. 15-13. (c): "Notwithstanding the provisions of subsection 15-13.6(a)(1)".

Your Committee considered and further amended the proposed handcarried CD1. The CD1 version reported out of your Committee makes the following amendments:

- A. Revises the definition of "director" to mean the Director of the Department of Enterprise Services or the designated representative of the Director.
- B. Changes the word "or" to "and" in Section 15-13. (b).
- C. Adds to the beginning of Section 15-13. (c) the phrase "Notwithstanding the provisions of subsection 15-13.6(a)(1)".
- D. Changes the fund from the "general fund" to the "special events fund" in Section 15-13(f).
- E. Makes technical and non-substantive amendments.

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Your Committee on Budget is in accord with the intent and purpose of Bill 1 (2014), as amended herein, and recommends that it pass second reading, be scheduled for a public hearing, and be referred back to Committee in the form attached hereto as Bill 1 (2014), CD1. (Ayes: Kobayashi, Chang, Fukunaga, Manahan, Pine – 5; Noes: None.)

Respectfully submitted,


Committee Chair

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON FEB 19 2014

COMMITTEE REPORT NO. 31



A BILL FOR AN ORDINANCE

RELATING TO PARKING.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to authorize certain parking stalls for mobile food vendors.

SECTION 2. Chapter 15, Article 13, Revised Ordinances of Honolulu 1990, as amended ("Stopping, Standing and Parking"), is amended by adding a new section to be appropriately designated by the revisor of ordinances and to read as follows:

"Sec. 15-13. Mobile food unit parking stalls."

(a) Definitions. As used in this section, unless the context otherwise requires:

"Director" means the director of the department of enterprise services or the designated representative of the director.

"Mobile food unit" means a motor vehicle used by an itinerant vendor, peddler, or huckster of food products.

"Mobile food unit parking stall" means a parking stall to accommodate mobile food units consisting of two adjacent standard-sized parking stalls combined to form a single stall double in length.

"Reserved hours" means the period beginning at 10:30 a.m. and ending at 1:30 p.m.

(b) The director shall authorize mobile food unit parking stalls as deemed appropriate at locations on city streets and highways in the Hawaii capital special district, as defined in Section 21-9.30-2, and in zoning districts where eating establishments are permitted by the Land Use Ordinance.

(c) Notwithstanding the provisions of subsection 15-13.6(a)(1), the director shall award permits for the use of specific mobile food unit parking stalls during reserved hours pursuant to Chapter 102 of the Hawaii Revised Statutes, which governs concessions on public property. The highest and best bid determines the amount of the permit fee.



CITY COUNCIL

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ORDINANCE _____

BILL 1 (2014), CD1

A BILL FOR AN ORDINANCE

- (d) The director shall include in each permit the location the permit applies to. The permittee shall prominently display the permit while parked pursuant to the permit, and shall satisfy all statutes, ordinances, rules, and other laws relating to food preparation and sale.
- (e) The director shall determine the appropriate use of mobile food unit parking stalls outside of the reserved hours, in consideration of the location of such stall and the impact on pedestrian, bicycle and vehicular traffic.
- (f) The director shall deposit all revenues derived from mobile food unit parking stall permits into the special events fund.
- (g) The director shall install signs at all mobile food unit parking stalls indicating permitted uses and restrictions, and providing notice, in conformance with Section 290-11 of the Hawaii Revised Statutes, that vehicles illegally parked or standing in such stalls are subject to towing.
- (h) The director shall adopt rules to implement this section."

SECTION 3. New material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the underscoring.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 1 (2014), CD1

A BILL FOR AN ORDINANCE

SECTION 4. This ordinance takes effect upon approval.

INTRODUCED BY:

Ernest Martin

DATE OF INTRODUCTION:

January 3, 2014
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

KIRK CALDWELL, Mayor
City and County of Honolulu